

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2227/1dn
MDK:kjf:rs

April 22, 2005

Sen. Zien:

Please note the following about this bill:

1. I eliminated reference to the last-known address in s. 779.02 (2) (b), to be consistent with other provisions referring to service that don't mention the last-known address. Is that okay, or should the bill specify that if service is by mail, service must be to the last-known address? See also my changes to ss. 779.14 (2) (am) 1. and 779.15 (1) and (3), which are not mentioned in the instructions. However, I did not change s. 779.155 (5) (a). Okay?
2. Note that I made changes to the definition of "serve" or "served" that is proposed in the instructions.
3. In addition to the statutes you specified, I also changed references to "materialmen" in ss. 59.40 (2) (f), 66.0901 (2), and 703.22 (title), (2), and (3). Is that okay?
4. I deleted "without limitation because of enumeration" in s. 779.14 (1e) (a) and did not include it in ss. 779.01 (3) and 779.15 (1). Under our current drafting style, we do not include such language because it is redundant.
5. The instructions regarding scope of lienable work specify that the following statutes should be harmonized: ss. 779.036 (2), (3), and (4) (a), 779.06 (2), and 779.15 (2). However, I don't understand what is supposed to be harmonized. Please contact me if you wish to discuss this issue. Also note that the draft harmonizes the following additional statutes that are not mentioned in the instructions: ss. 779.02 (1) (c) and (e) and (5), 779.03 (1), 779.035 (1), (2) (b) 1. and 2. a., and (3), 779.05 (1), 779.06 (1) and (3), 779.07 (1) (d), 779.10, 779.135 (1), 779.14 (1) (a) and (b), (1e) (a) and (b), (1m) (c), (d), and (e) 2. b., (2) (a) 2. and 3., (am) 1. and 2. a., and (3), and 779.15 (1). Are my additional changes okay?
6. Is the initial applicability provision okay? Also, do you want to delay the effective date of the bill to give people time to change their business practices to comply with the new requirements?

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